

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (MODIFIED)		ATTORNEY'S DOCKET NUMBER <b>X-15440</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) <b>10/534920</b>
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
<b>PCT/US2003/035055</b>	<b>20 November 2003 (11.20.03)</b>	<b>22 November 2002 (11.22.02)</b>
<b>TITLE OF INVENTION:</b> VITAMIN D RECEPTOR MODULATORS		
APPLICANT(S) FOR DO/EO/US: Emilio Enrique BUNEL, Robert Peter GAJEWSKI, Charles David JONES, Jianliang LU, Tiawei MA, Sunil NAGPAL, and Ying Kwong YEE		
Applicant herewith submits to the U.S. Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.		
3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).		
4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))		
a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).		
b. <input type="checkbox"/> has been transmitted by the International Bureau.		
c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))		
a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).		
b. <input type="checkbox"/> have been transmitted by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input checked="" type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> A declaration of the inventors 35 U.S.C. 371(c)(4) was provided in the PCT Request Form.		
11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (IPER), including any annexes, and, if not in English, an English language translation of the annexes to the IPER under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 12. to 18. below concern document(s) or information included:</b>		
12. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
13. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
14. <input type="checkbox"/> Assignment has been recorded at reel _____, frame _____.		
15. <input checked="" type="checkbox"/> A FIRST preliminary amendment.		
16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.		
17. <input checked="" type="checkbox"/> A Sequence Listing, 1.821 Statement, and diskette.		
18. <input checked="" type="checkbox"/> A power of attorney and other documents.		
Other items or information: Please amend the first page of the specification by inserting the following cross-reference after the title: "This is the national phase application, under 35 USC 371, for PCT/US2003/035055, filed 20 November 2003 which, claims the benefit, under 35 USC 119(e), of US provisional application 60/429,041 filed 22 November 2002."		

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<p>19. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>Basic National Stage Fee = \$ 300.00</p> <p>National Stage Search Fee = \$ 500.00</p> <p>National Stage Examination Fee = \$ 200.00</p> <p><b>TOTAL NATIONAL STAGE FEES \$1,000.00 (a)</b></p> <p>Application Length Fee</p> <p>Total Length (excluding sequence listings)</p> <p><u>351 - 100 = 251</u> excess pages (b)</p> <p>No extra charge for first 100 pages. Must pay \$250 for each adtl 50 pages (or fraction thereof).</p>		<b>CALCULATIONS PTO USE ONLY</b>																																																																									
		<p><b>ENTER APPROPRIATE AMOUNT (a + b) = \$ 2,500.00</b></p> <p>Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>22-20=</td> <td>2</td> <td>X \$50.00 \$ 100.00</td> </tr> <tr> <td>Independent claims</td> <td>1-3=</td> <td></td> <td>X \$200.00 \$</td> </tr> <tr> <td>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td></td> <td>+ \$360.00 \$</td> </tr> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS = \$ 100.00</b></td> </tr> <tr> <td colspan="4">Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).</td> </tr> <tr> <td colspan="4"><b>SUBTOTAL = \$2,600.00</b></td> </tr> <tr> <td colspan="4">Processing fee of <b>\$130.00</b> for furnishing English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> </tr> <tr> <td colspan="4"><b>TOTAL NATIONAL FEE = \$</b></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> </tr> <tr> <td colspan="4"><b>TOTAL FEES ENCLOSED = \$2,600.00</b></td> </tr> <tr> <td colspan="2"></td> <td>Amount to be refunded</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>charged</td> <td>\$</td> </tr> <tr> <td>a. <input type="checkbox"/></td> <td colspan="3">A check in the amount of \$ _____ to cover the above fees is enclosed.</td> </tr> <tr> <td>b. <input checked="" type="checkbox"/></td> <td colspan="3">Please charge my Deposit Account No. 05-0840 in the amount of <u>\$2600.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</td> </tr> <tr> <td>c. <input checked="" type="checkbox"/></td> <td colspan="3">The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.</td> </tr> <tr> <td colspan="4"> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> </td> </tr> <tr> <td colspan="2"> SEND ALL CORRESPONDENCE TO:  <b>ELI LILLY AND COMPANY</b>  PATENT DIVISION  P.O. BOX 6288  INDIANAPOLIS, INDIANA 46206-6288  <u>May 5, 2005</u>  Date  36,711  REGISTRATION NUMBER </td> <td>   SIGNATURE  <hr/> <u>MaCharri Vorndran-Jones</u>  NAME  <hr/> (317) 276-1665  TELEPHONE NUMBER </td> <td>   25885  PATENT TRADEMARK OFFICE </td> </tr> </tbody></table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	22-20=	2	X \$50.00 \$ 100.00	Independent claims	1-3=		X \$200.00 \$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00 \$	<b>TOTAL OF ABOVE CALCULATIONS = \$ 100.00</b>				Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				<b>SUBTOTAL = \$2,600.00</b>				Processing fee of <b>\$130.00</b> for furnishing English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<b>TOTAL NATIONAL FEE = \$</b>				Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				<b>TOTAL FEES ENCLOSED = \$2,600.00</b>						Amount to be refunded	\$			charged	\$	a. <input type="checkbox"/>	A check in the amount of \$ _____ to cover the above fees is enclosed.			b. <input checked="" type="checkbox"/>	Please charge my Deposit Account No. 05-0840 in the amount of <u>\$2600.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.			c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.			<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>				SEND ALL CORRESPONDENCE TO: <b>ELI LILLY AND COMPANY</b> PATENT DIVISION P.O. BOX 6288 INDIANAPOLIS, INDIANA 46206-6288 <u>May 5, 2005</u> Date 36,711 REGISTRATION NUMBER		 SIGNATURE <hr/> <u>MaCharri Vorndran-Jones</u> NAME <hr/> (317) 276-1665 TELEPHONE NUMBER	 25885 PATENT TRADEMARK OFFICE
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IN THE UNITED STATES RECEIVING OFFICE (USRO)  
JC20 Rec'd PCT/PTO 10 MAY 2005

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International Application No.: PCT/US2003/035055

Filed: 20 November 2003 (11.20.03)

Invention: VITAMIN D RECEPTOR MODULATORS

Lilly Reference: X-15440

Earliest Priority Date: 22 November 2002 (11.22.02)

**Certificate Under 37 C.F.R. § 1.10**

Attention: DO/EO  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

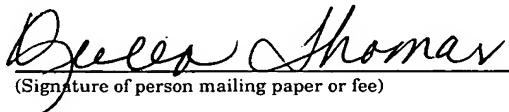
Sir/Madam:

"Express Mail" mailing label number: EL832893774US

Date of Deposit: 10 May 2005

I hereby certify that the following attached paper or fee Transmittal Letter to the United States Designated/Elected Office (US) concerning a filing under 35 U.S.C. 371 of the International Application identified above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Queen Thomas  
(Typed or printed name of person mailing paper)

  
(Signature of person mailing paper or fee)